

# YOUTH SERVICES POLICY

<b>Title:</b> Crime Victims Registration and Notification	<b>Type:</b> C. Field Operations
<b>Next Annual Review Date:</b> 12/18/2016	<b>Sub Type:</b> 1. General
	<b>Number:</b> C.1.7
	<b>Page 1 of 7</b>
<b>References:</b> La. Const., Art. I, Section 25; La. R.S. 15:574.12, 46:1841-1844, C. Cr. P. Art. 894.1, Ch. C. Arts. 811.1, 811.3, and 890 (A) (2); ACA Standard 2-CO-1A-14 and 2-CO-4G-02 (Administration of Correctional Agencies); YS Policy Nos. B.2.18 "Reintegration Process", B.3.1 Composition/Location/Retention of Active and Inactive Secure Care Youth Records, B.7.2 "Programs for Post-Secondary Education and Skills Building Incentives – Secure Care", B.8.15 "Family Liaison between Families of Youth and Youth Services" C.1.7 "Sex Offender Notification and Registration Requirements", C.2.1 "Escapes, Runaways, Apprehensions, and Reporting", and C.4.7 "Furlough Process"; and OJJ "Juvenile Electronic Tracking System" (JETS) Procedures.	
<b>STATUS: Approved</b>	
<b>Approved By:</b> Mary L. Livers, Deputy Secretary	<b>Date of Approval:</b> 12/18/2015

## I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

## II. PURPOSE:

To outline procedures for Crime Victim Notification requests received from a victim regarding a youth pending placement or in the secure custody of YS/OJJ.

## III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Chief of Operations, Deputy Assistant Secretary, General Counsel, Regional Directors, Facility Directors, Regional Managers, and the Family Liaison.

## IV. DEFINITIONS:

**Crime Victims Services Bureau (CVSB)** - A public service of the Department of Public Safety and Corrections Services that enables victims of crime to register for notification, and facilitates access to information available to crime victims.

**Family Liaison** - A YS employee who serves as the point of contact for family members, community support personnel, volunteers, the general public and YS staff.

**Individualized Service/Reintegration Plan (ISRP) - Initial and Formal** - An initial ISRP shall be developed within 48 hours of a youth's arrival to the Intake unit at a secure care facility. The initial ISRP specifies problem areas, goals and objectives, and the methods used to attain them, including the role of the youth and the staff. Development of this plan is accomplished through review of the youth's SAVRY high risk need areas, the youth's record, and is a collaborative effort between the intake Case Manager and the youth.

The formal ISRP is further developed within 30 days of receipt of the contracted health care provider's Psychological Evaluation. The treatment needs are prioritized based upon a review of the youth's SAVRY high-risk/need areas, the youth's record and recommendations made by the contracted health care provider's Psychological Evaluation. The formal ISRP is modified throughout the youth's stay as need areas are identified.

**Juvenile Electronic Tracking System (JETS)** - The centralized database utilized to track all youth under OJJ supervision or in OJJ custody and to record all case record activity.

**Regional Duty Officer** – All professional level regional office personnel responsible for reporting serious incidents as described herein to the appropriate Regional Director. The regional duty officer may be the Regional Manager/designee.

**Victim** – The person(s), including the parent or family member, who suffers harm as a result of a crime and who is identified by law enforcement, a police report, or other official court record as a victim of a crime.

**Victim Notification and Registration Form (VNRF)** – A form on which a person may indicate a request to be afforded the rights prescribed in law and policy to victims. In the context of this policy, the term VNRF also includes letters requesting notification. (The “YS/OJJ Victim Notification Request Form” [see Attachment C.1.7 (a)], the “DPS&C, Victim Notice and Registration” form through the CVSB at Corrections Services, and the “Louisiana Automated Victim Notification System (LAVNS)” form are all acceptable forms.

## **V. POLICY:**

It is the Deputy Secretary's policy to ensure compliance with the law governing the rights of victims and, in response to requests for registration and notification, including referrals from the “Crime Victims Services Bureau” (CVSB) or the “Louisiana Victim Notice and Registration Form” also referred to as LAVNS (Louisiana Automated Victim Notification System), to facilitate access to information as per the law, to enhance responsiveness to victims by staff, and to cooperate with other criminal justice agencies and victim advocacy groups.

To achieve these ends, YS shall collaborate with other justice system agencies, victim advocacy groups, and other community-based organizations to ensure that all victims are treated with respect and provided with all required information and notifications.

**VI. PROCEDURES:**

- A. In accordance with Children's Code Art. 811.1(A)(11), when YS/OJJ receives a Crime Victim Notification Request (CVNR) from a family or family member regarding a youth who is pending secure placement in detention or in a secure facility, it is the responsibility of YS/OJJ to notify the victim of the following:
- Appeal or release at the time of such appeal
  - Discharge from a secure facility or detention
  - Parole
- B. A toll-free telephone line (800-594-3941) to the Family Liaison's office is maintained by YS/OJJ. If a call concerning victim registration or notification is received by any unit of YS the call shall be routed to the Family Liaison who shall assist callers with registration for notification. (Refer to YS Policy No. B.8.15)
- C. Corrections Services also maintains a toll-free telephone line (888-342-6110) to the CVSB. The bureau assists callers with registration for notification and makes referrals.
- D. When one of the VNRFs noted above is received in any unit of YS, the employee receiving the form is responsible for the following:
1. Immediately flagging the youth in the "Juvenile Electronic Tracking System" (JETS) as having a "CVN" (Crime Victim Notification);
  2. Updating the youth's Individualized Service/Reintegration Plan (ISRP) in JETS to note that the youth has a "CVN";
  3. Forwarding a copy of the VNRF to the Family Liaison; and
  4. If the youth is in a secure care facility, the outside of the youth's Master Record shall also be marked in the stamped format, pursuant to YS Policy No. B.3.1.

If the form received is NOT the "YS/OJJ Victim Notification Request Form", the employee receiving the form (Case Manager or PPO) shall contact the victim noted on the form to advise that the correct YS/OJJ form is being mailed to them for completion, to be returned to the Case Manager or PPO.

A copy of the initial form from the victim and the YS/OJJ form, when received, shall be forwarded to the Family Liaison.

All actions taken shall be documented in a "Case Narrative/Weekly Progress Note" in JETS, a copy of the form received shall be forwarded to the Family Liaison, and the original form placed in the youth's record under the appropriate clip in accordance with YS Policy.

- D. No youth in a secure care facility shall receive information about another youth in a secure care facility by filing a "Victim Notification Request Form".

## **VII. CONFIDENTIALITY:**

Both the information contained in a "Victim/Witness Notification Request Form" and the fact that a notification request has been made are confidential. Pursuant to provisions of La. R.S. 15:574.12, staff may answer inquiries from judicial and law enforcement agencies. Any other inquiries shall be referred to the Family Liaison.

## **VIII. RESTITUTION:**

To encourage youth to take responsibility for their actions and make restitution to victims of their crime(s), they have the opportunity to acquire skills to develop a good work ethic through employment in on-campus and off-campus jobs. In addition, they are provided pay incentives for accomplishment of specific academic goals (refer to YS Policy No. B.7.2). A percentage of their incentive compensation may be used to make payment toward restitution when it is required. These opportunities are based on community input.

Opportunities may include paying restitution; donating community service hours; or satisfying court obligations, such as fines and court costs. However, the rate of payment cannot exceed the youth's ability to pay.

## **IX. PROCESSING OF REQUESTS RECEIVED BY THE FAMILY LIAISON FOR NOTIFICATION REGARDING YOUTH:**

- A. When the Family Liaison receives the VNRF directly from the victim, it is the responsibility of the Family Liaison to flag the CVN in JETS, send a personally-signed acknowledgment letter to the victim with copies to the Regional Manager/Facility Director, and the Case Manager or PPO/J for filing in the youth's record.
- B. When a VNRF is forwarded to the Family Liaison by the Case Manager or PPO/J, the Family Liaison shall send an acknowledgment letter to the victim, with copies to the Regional Manager/Facility Director and the Case Manager or PPO/J for filing in the youth's record.

The Family Liaison shall also verify that the CVN in JETS has been flagged, and forward the CVN to the Regional Director/Facility Director, and the Case Manager or PPO/J 'for filing in the youth's record.

- C. When a secure care facility receives a VNRF forwarded by the Family Liaison, the youth's Case Manager shall:
  - 1. Verify that JETS is updated to indicate a CVN flag;
  - 2. Verify the youth's ISRP is updated to indicate a CVN;
  - 3. Verify that the outside of the youth's secure care Master Record is marked; and
  - 4. File the form under Clip VIII of the youth's Master Record, pursuant to YS Policy No. B.3.1.
- D. When a Case Manager or PPO/J receives updated information from a VRNF or a written request from a registered victim/family member to withdraw a request for notification, the VRNF shall be modified to indicate the new information, the youth's assigned facility notified, and a copy of the updated form forwarded to the Family Liaison.
- E. It shall be the responsibility of the Facility Director/Regional Manager (in cases where the youth is pending secure care) or their designee to ensure the victim is notified of any events noted in Section X. of this policy.

**X. SECURE CARE NOTIFICATIONS:**

- A. If a youth escapes from an OJJ secure care facility, the Facility Director shall immediately notify the district attorney of the adjudicating parish and document such pursuant to the guidelines established in YS Policy No. C.2.1.
- B. When an escaped youth is apprehended, the Control Center at Bridge City Center for Youth" (BCCY) shall be notified of the apprehension.

The Facility Director of the facility of escape shall ensure that written notice of apprehension is forwarded to the district attorney of the adjudicating parish within 48 hours of the youth's return to custody.

- C. If a youth appeals his adjudication/disposition or is released at the time of the appeal, is paroled or discharged from a secure facility, the youth's Case Manager shall notify the registered victim by certified mail utilizing the "Victim Notification of Discharge Letter" [see Attachment (b) sample letter]. A copy of the letter shall be forwarded to the Family Liaison, and a copy filed in the youth's Master Record under Clip VIII.

- D. If a youth is released directly to adult custody due to a crime committed as an adult, the sending facility shall inform the receiving adult unit of the victim notification request on file.
- E. The Facility Treatment Directors at each secure care facility shall maintain a continuously updated list of all youth with a CVN flagged in JETS which includes the following:
  - Name of the youth;
  - Client ID#;
  - Date of admission to the facility; and
  - Name and contact information for the victim.

In the event of an escape, discharge, appeal, release, etc., the Facility Treatment Director shall ensure the proper notifications are being adhered to and documented as required.

- F. The Facility Director of the youth's assigned facility is ultimately responsible for all required contacts/notifications, which shall each be documented within three (3) days of the occurrence on a "Weekly Contact Progress Note" in JETS.
- G. Prior to release from a secure care facility, youth who have been adjudicated for a hands-on sex offense or a hands-on sex offense that has been pled down to a non-sex offense, must have a signed "Safety Plan Contract" [refer to YS Policy No. C.4.1, Attachment (h)] in place.

**XI. CBS CRIME VICTIM ESCAPE/RUNAWAY NOTIFICATIONS:**

- A. When a PPO/J becomes aware of an escape/runaway of a youth from a detention facility, flagged with a CVN in JETS, the PPO/J shall immediately notify the district attorney of the adjudicating parish of the youth's escape/runaway from a detention/non-secure facility.
- B. All notifications by the PPO/J shall be documented in JETS within three (3) working days.

**XII. QUALITY ASSURANCE:**

- A. The Family Liaison shall utilize the "Family Liaison Log" [see Attachment C.1.7 (c)] to track all requests and actions taken when Crime Victims Registration and Notification letters and/or forms are received and forwarded to Facility Directors/Regional Managers.
- B. The Facility Director/Regional Manager shall utilize the "Family Crime Victim Notification Log" [see Attachment C.1.7 (d)] for monitoring victim registration and notification requests and to ensure the requirements of the law and this policy are met.

## **YS Policy No. C.1.7**

### **Page 7**

- C. On a quarterly basis, the Family Liaison shall request a list of youth in JETS with a CVN flag from the Data Warehouse Manager for quality assurance purposes. The JETS list and the "Family Liaison Log" shall be compared to ensure all victim requests are appropriately recorded.

**Previous Regulation/Policy Number:** C.1.7

**Previous Effective Date:** 09/04/2015

**Attachments/References:**

C.1.7 (a) Victim Notification Request Form 8-15.docx

C.1.7 (b) CV Notification of Discharge Letter August 2015.docx

C.1.7 (c) Family Liaison CV Notification Log.doc

C.1.7 (d) Facility Crime Victim Notification Log August 2015.xlsx